

REMARKS

Claims 1-8, 11-18 and 21-27 are pending in this application. Claims 1, 12 and 21 are the independent claims. Claims 21-27 stand allowed. By this Amendment, claims 1, 3-6 and 12-15 are amended. No new matter is added.

I. Allowable Subject Matter:

Applicants appreciate the allowance of claims 21-27. Applicants submit that the remaining pending claims are in condition for allowance for the reasons discussed below.

II. Drawings:

The drawings are objected to for allegedly failing to show a “detector” adapted to read first and second detector lines. The claims are amended to clarify the claimed subject matter shown in the figures. For example, the “detector” recited in independent claims 1 and 12 is revised to recite the “array sensor” shown as photo detectors 115, 116 in the example embodiment of Figs. 1a and 1b. Thus, withdrawal of the objection is respectfully requested.

III. Claim Rejections Under 35 U.S.C. §112:

Claims 1-8 and 11-18 are rejected under 35 U.S.C. §112, first paragraph, for allegedly failing to provide enabling support for a “detector” adapted to read first and second detector lines. The rejection is respectfully traversed.

As discussed above, independent claims 1 and 12 are revised to recite the “array sensor” is adapted to read a first detector line and a second detector line. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1-8 and 15 are rejected under 35 U.S.C. §112, second paragraph, for allegedly failing being indefinite. Specifically, claims 1-8 are rejected for failing to provide antecedent basis for “the incremental and absolute code tracks.” Claims 2, 6 and 15 are rejected for reciting elements in a first instance that have been previously claimed. As the claims are amended to overcome the rejections, withdrawal of the rejection is respectfully requested.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John A. Castellano, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,
HARNES, DICKER, & PIERCE, P.L.C.

By

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